

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

In Re: Alaa Eid Yousef
Debtor(s)

Case No: 17-32597-H5-13

**TRUSTEE'S OBJECTION TO CONFIRMATION OF CHAPTER 13 PLAN
AND
MOTION TO DISMISS**

THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING. If a response is filed, a hearing on this motion will be held at 9:30 am on Tuesday, July 25, 2017 at the U.S. Courthouse, 515 Rusk, Courtroom # 403.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.

COMES NOW, William E. Heitkamp, Trustee, filing this Chapter 13 Trustee's Objection to Confirmation of Chapter 13 Plan and Motion to Dismiss pursuant to Fed. R. Bankr. P. 1017 and Local Bankruptcy Rule 1017-2. The Chapter 13 Trustee objects to confirmation of the plan, and would show the Court that the plan does not meet the requirements for confirmation and thus constitutes grounds for dismissal for the following reasons:

1. The Debtor has not provided the Trustee with information sufficient for the Trustee to comply with 11 U.S.C. Section 1302(d) for the Domestic Support Obligation.
2. The Chapter 13 Plan must be amended to provide for payment in full of the secured and priority claims within the term of the plan.
3. Payments due Pursuant to 11 U. S. C. 1326 (A) (1), and 1325 (A) (2) have not been made. All payments to the Chapter 13 Trustee must be sent to the following address: P.O. Box 740 Memphis, TN 38101-0740.
4. The debtors have not filed their federal income tax return for the following years: 2015 & 2016. Therefore the debtors are not able to meet the burden of proving that the plan complies with 11 U.S.C. Sec. 1322 (A) (2).
5. The Debtor has failed to implement a wage deduction order or EFT/ACH authorization as required by Local Bankruptcy Rule 1007-1(c).
6. The debtor has failed to provide proof of income to substantiate the income amounts listed on Schedule I and Form 22C.

WHEREFORE, Trustee prays that the Court deny confirmation of the plan and dismiss the case.

RESPECTFULLY SUBMITTED,

/s/ William E. Heitkamp

WILLIAM E. HEITKAMP, TRUSTEE
ADMISSIONS ID NO. 3857

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